

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADVANCE TRUST & LIFE ESCROW
SERVICES, LTA, AS NOMINEE OF
LIFE PARTNERS POSITION HOLDER
TRUST, and JAMES KENNEY on behalf
of themselves and all others similarly
situated
vs. Plaintiffs,

PHL VARIABLE INSURANCE COMPANY,

Defendant.

Civil Action No. 18-cv-03444-MKV

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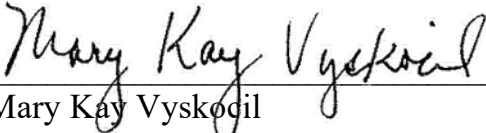
~~PROPOSED~~ ORDER GRANTING SUBSTITUTION OF PLAINTIFF

Before the Court is the Parties' Joint Stipulation for Substitution of Plaintiff Pursuant to Federal Rule of Civil Procedure 25(c) (the "Stipulation"). Having considered the Stipulation, and being otherwise fully advised, the Stipulation is **APPROVED** and **IT IS ORDERED** as follows:

- The Parties' request to substitute PHT Holding I LLC ("PHT") is **GRANTED**.
- Pursuant to Federal Rule of Civil Procedure 25(c), PHT is substituted as Plaintiff and Class Representative in place of Advance Trust & Life Escrow Services, LTA ("ATLES"). ATLES is therefore no longer a Plaintiff in this matter. PHT will instead be suing on its own behalf as the beneficial owner of Policy Nos. 97515007, 97514997, 97518214, 97517735, 97516347, 97516349, 97516167, 97520137, and 97521404.

- PHL has not waived any defense to the claims brought by ATLES or PHT, including but not limited to any potential lack of standing to assert such claims.
- This matter shall now proceed under the caption *PHT Holding I LLC and James Kenney v. PHL Variable Insurance Co.*, No. 1:18-cv-03444-MKV (S.D.N.Y.).

Signed this 9th day of August, 2023



Hon. Mary Kay Vyskočil
UNITED STATES DISTRICT JUDGE